

**Appl. No.** : 10/728,728  
**Filed** : December 5, 2003

### **REMARKS**

In response to the Office Action mailed September 13, 2006, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

#### **Allowed Subject Matter and New Claims**

Applicants note with appreciation that the Examiner has indicated that Claims 32, 33, 54 and 55 include patentable subject matter and would be allowed if they are rewritten into independent form.

In this amendment, Claim 32 has been canceled and its limitations added to independent Claim 25. In a similar manner, Claim 54 has been canceled and integrated into independent Claim 47. Claim 33 has been canceled and rewritten into independent form as new Claim 60. Claim 55 has been canceled and rewritten into independent form as new Claim 72.

Claims 26-31 and 34-38 depend upon allowable Claim 25 and for at least this reason are also in condition for allowance.

Claims 48-53 and 56-59 depend upon allowable Claim 47 and for at least this reason are also in condition for allowance.

New Claims 61-71 depend upon allowable Claim 60 and for at least this reason are also in condition for allowance.

New Claims 73-82 depend upon allowable Claim 72 and for at least this reason are also in condition for allowance.

#### **Provisional Double Patenting Rejection**

Applicant notes the provisional double patenting rejection and over U.S. Patent Application No. 10/884,017. The '017 Application has not been examined. Accordingly, Applicant respectfully request that the provisional double patenting rejection be withdrawn in the present case such that this case can proceed to issuance.

#### **Claim Rejections**

Claims 25-31, 34-39, 46-53 and 56-59 stand rejected as anticipated by Nishtala (2001/0012950). Claims 40-45 stand rejected as unpatentable over Nishtala. Applicant respectfully disagrees with the rejection of these claims. However, to advance prosecution of the

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allowed subject matter, Applicant has chose to amend these claims as indicated above. Applicant intends to pursue the original claims in a continuing application.

### **Drawings**

With respect to the objection to the drawings, Applicant has canceled Claims 39-46 without prejudice.

### **CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.


The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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